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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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14 UNITED STATES OF AMERICA,) No. CR-07-0278 EDL
15 v.)
16 DAVID INIGUEZ,)
17 Plaintiff,) STIPULATION AND [PROPOSED]
18) ORDER CONTINUING STATUS
19) CONFERENCE AND EXCLUDING TIME
20) UNDER THE SPEEDY TRIAL ACT
21)
22)
23)
24)
25)
26)

Having made his initial and one subsequent appearance on an information charging him with theft of government property, in violation of 18 U.S.C. § 641, defendant David Iniguez is scheduled to appear before this Court for trial setting on July 24, 2007.

Mr. Iniguez is scheduled to undergo oral surgery on July 23, 2007 and has been advised to stay home to recover for the following few days. Accordingly, the parties agree and stipulate to a one-week continuance of the matter to July 31, 2007.

The parties further agree and stipulate that the time between July 24, 2007 and July 31, 2007 should be excluded under the Speedy Trial Act for effective preparation of counsel. The parties are engaged in mutual exchange of discovery and investigations are underway to

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1 determine whether the case is amenable to pretrial resolution.

2 IT SO STIPULATED.

3 BARRY J. PORTMAN
4 Federal Public Defender

5 Dated: 07/20/2007

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7 /s/
8 JOSH COHEN
9 Assistant Federal Public Defender

10 SCOTT N. SCHOOLS
11 United States Attorney

12 Dated: 07/20/2007

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14 /s/
15 WENDY THOMAS
16 Assistant United States Attorney

17 ORDER

18 Accordingly, and for good cause shown, the trial-setting conference presently scheduled
19 for July 24, 2007 is hereby continued to July 31, 2007 at 10:30 a.m.

20 The time from July 24, 2007 through July 31, 2007 shall be excluded under the Speedy
21 Trial Act. The Court finds that the failure to grant the requested continuance would deny the
22 defendant effective preparation of counsel. See 18 U.S.C. § 3161(h)(8)(B)(iv). The Court
23 further finds that the ends of justice served by granting the requested continuance outweigh the
24 best interests of the public and the defendant in a speedy trial and in the prompt disposition of
25 criminal cases. See id. § 3161(h)(8)(A).

26 IT IS SO ORDERED.

Dated:

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28 ELIZABETH D. LAPORTE
29 UNITED STATES MAGISTRATE JUDGE